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Date:	December 23, 2003	From:	Sherry M. Carty
To:	Examiner Quang Nguyen	Telephone:	919.941.9240
Company:	U.S. Patent & Trademark Office	Sent By:	Sandra Paye
Fax Number:	703.872.9306	Our Reference:	017753-109
Telephone:		Number of Pages	23
Your Reference:	09/214,124	Including Cover:	

**Message:**

Please find attached response to Official Action mailed September 23, 2003.

Patent  
Attorney Docket No. 017753-109

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Marcelo Lopez Lastra

Application No.: 09/214,124

Filing Date: March 17, 1999

Title: Novel Internal Ribosome Entry Site and Vector Containing Same

Group Art Unit: 1636

Examiner: Quang NGUYEN

Confirmation No.: 5944

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

☐ A Petition for Extension of Time is also enclosed.

☐ Terminal Disclaimer(s) and the ☐ \$55.00 (2814) ☐ \$110.00 (1814) fee per Disclaimer due under 37 C.F.R. § 1.20(d) are also enclosed.

☐ Also enclosed is/are \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ Small entity status is hereby claimed.

☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$385.00 (2801) ☐ \$770.00 (1801) fee due under 37 C.F.R. § 1.17(e).

☐ Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.

☐ Applicant(s) previously submitted \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

on \_\_\_\_\_  
for which continued examination is requested.

☐ Applicant(s) requests suspension of action by the Office until at least \_\_\_\_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

BURNS DOANE

AMENDMENT/REPLY TRANSMITTAL LETTER

Page 1 of 2  
(11/03)

Attorney Docket No. 017753-109Application No. 09/214,124

- ☒ No additional claim fee is required.
- ☐ An additional claim fee is required, and is calculated as shown below.

AMENDED CLAIMS					
	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
Total Claims		MINUS =	0	x \$18.00 (1202) =	\$ 0.00
Independent Claims		MINUS =	0	x \$86.00 (1201) =	\$ 0.00
If Amendment adds multiple dependent claims, add \$290.00 (1203)					
Total Claim Amendment Fee					\$ 0.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					\$ 0.00
<b>TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT</b>					<b>\$ 0.00</b>

- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the fee due.
- ☐ Charge \_\_\_\_\_ to Deposit Account No. 02-4800.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER &amp; MATHIS, L.L.P.

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-8620

Date: Dec. 23, 2003

By

*Sherry M. Carthy* Reg. # 51,534  
for Teresa Stanek Rea  
Registration No. 30,427

I hereby certify that this correspondence is being submitted by facsimile transmission to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, to the following facsimile number:

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*Sandra B. Payne*  
Sandra B. Payne

Typed Name:

BURNS DOANE

AMENDMENT/REPLY TRANSMITTAL LETTER

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Patent

Attorney's Docket No. 017753-109

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of	)	
Marcelo Lopez Lastra et al.	)	Group Art Unit: 1636
Application No.: 09/214,124	)	Examiner: Quang NGUYEN
Filed: March 17, 1999	)	Confirmation No.: 5944
For: Novel Internal Ribosome Entry Site and Vector Containing Same	)	

## AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In complete and timely response to the Office Action mailed September 23, 2003,  
Applicants respectfully request reconsideration of the rejected claims. Prior to consideration,  
please first amend the claims as follows.

Claims begin on page 2.

Remarks begin on page 9.